

COMMISSION MEETING MINUTES

Indiana Fire Prevention and
Building Safety Commission
Government Center South
302 West Washington Street
Indianapolis, Indiana 46204
Conference Room B

February 5, 2013

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hannum at 9:02 a.m. on February 5, 2013.

(a) Commissioners present at the Commission meeting:

Diana M. H. Brenner
Ron Brown
Tom Cloud
Michael Corey
Hattie Sims, representing the Commissioner, Department of Labor
David Hannum, Chairman
John Hawkins
Patrick Richard
Todd Hite, representing the Commissioner, Department of Health
Matt Mitchell

Commissioners not present at the beginning of the Commission meeting:

(b) The following departmental and support staff were present during the meeting:

Legal and Code Services:

Mara Snyder, Director, Legal and Code Services
Shelly Wakefield, Manager, Code Technical Development
Cecilia Ernstes-Boxell, Code Specialist
Denise Fitzpatrick, Code Specialist
John Haines, Code Specialist
John Hibner, Code Specialist
Beth Sutor, Secretary

(c) James Schmidt, Deputy Attorney General, and Gary Bippus, Administrative Law Judge, were present.

Chairman Hannum announced the passing of Vice-chairman Ted Ogle, noting that he would be missed. Information on the services was given, and a request from the family that, in lieu of flowers, a donation to the hospice would be preferred was relayed.

2. Old Business.

A call by Chairman Hannum for any corrections or a motion to approve the minutes of the January 3, 2013, meeting as distributed was made. Commissioner Corey moved to approve the minutes as distributed, with the second by Commissioner Mitchell. It was voted upon and carried.

3. Third Party Inspections

Progressive Engineering Inc.
58640 State Road 15
Goshen, IN 46528

Marc Reynolds, Fire and Building Code Enforcement, presented the application and recommended approval. Commissioner Mitchell moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

4. Variances.

The following variances relating to regulated lifting devices were heard out of order.

12-12-9 New Beginnings Church Elevator, New Albany

Pastor Michael McCarty and Wayne Perdue, Madden Elevator, spoke as proponents. The request was to allow a LULA lift to be installed in the existing building without code-compliant head room in the machine room due to structural steel beams. Code requires 73" and the space has 63" clearance. Following discussion, Commissioner Corey moved to approve with the conditions that the beams be padded, and that Low Clearance signage be posted on the door to the machine room. Commissioner Cloud made the second. It was voted upon and carried.

13-02-14(C) Brownsburg High School Football Field Press Box, Brownsburg

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The elevator, which served the press box, has a section of the hoistway that exceeds 36 feet by 6 inches and does not have an access door. The request was to allow this non-compliance. Commissioner Corey moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

13-02-36 Three Mass Condos Wheelchair Lift, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The platform lift was to be installed to provide an accessible means of egress to the rooftop terrace in lieu of an elevator. The sprinklered building would provide emergency power backup for the lift. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

13-02-55(a)(b)(c) Lilly C45A Elevator Addition, Clinton

Ed Rensink, RTM Consultants, spoke as proponent. The proponent withdrew variance (c). The request in (a) was to allow the installation of the elevator without requiring compliance with the additional height of the building for construction type. Variance (b) was a request to have the equipment access platforms, electrical room and other platforms all to be treated as equipment platforms rather than stories for purposes of allowable height. Following discussion, Commissioner Brenner moved to approve both variances (a) and (b), with the second by Commissioner Richard. It was voted upon and carried.

13-02-59 INDOT Ft. Wayne Administration Building, Ft. Wayne

Jason Farkas and Mike Miller, Schindler Elevator, spoke as proponents. The request was to allow the use of the new elastomeric coated steel suspension which used six 2.5 mm steel cables in lieu of compliant 9 mm steel diameter suspension cable, and for the governor, a 6 mm diameter suspension member. A lengthy discussion was held as to how the coated steel suspension system would be monitored, and how the monitoring system complied with A17.1 and A17.7. Commissioner Corey stated he wished to see how their monitoring system compared to monitoring as required by code. Commissioner Corey then moved to approve with the condition that the proponent must provide documentation showing compliance with the monitoring requirements of A17.1 and A17.7. Commissioner Cloud made the second. It was voted upon and carried with one nay vote.

13-02-61 US Steel #1 Continuous Castor Freight Elevator, Gary

Christina Colletter, RTM Consultants, spoke as proponent. The existing elevator, installed in the 1940's, was being modernized. The request was to omit the smoke and heat detectors at landings or in the machine room. The elevator serves nine levels in the casting plant where steel is heated to 3000° F, creating an atmosphere which does not lend itself to the use of heat and smoke detection devices. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Commissioner Corey abstained.

13-02-62 Dr. Tilak Renovation Elevator, Schererville

Gene Mierke, Otis Elevator, spoke as proponent. The request was to allow the use of an ACLA buffer in place of springs. A handout providing testing and compliance information had been provided. Following discussion, Commissioner Corey moved to approve with the second by Commissioner Hite. It was voted upon and carried. Commissioner Cloud abstained.

13-02-63 Broad Ripple Mixed Use Building, Indianapolis

The request was to be allowed to use the Kone EcoSpace machine roomless unit. Training and equipment for inspectors would be provided. Commissioner Corey moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Commissioner Cloud abstained.

Tabled Variances.

Variance 12-10-10(d), Lilly Building K312-314, Indianapolis, was represented by Ed Rensink, RTM Consultants. The request was to omit the stand-by generator for the ventilation system. The ventilation system is connected to a redundant electrical supply. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. The proponent for variance 12-11-14, SOAR Sprinklers, South Bend, had requested the application be tabled. Commissioner Brown moved to table, with the second by Commissioner Corey. It was voted upon and carried. Mara Snyder, Director, Legal and Code Services, advised that variance 12-11-21, Care Animal Hospital, Muncie, had submitted a letter concerning the approved installation. Commissioner Mitchell moved no variance was required, with the second by Commissioner Corey. It was voted upon and carried. Variance 13-01-32 Columbus Community Church Kitchen Renovation, Columbus, was represented by Ed Rensink, RTM Consultants. The request had been to omit the platform and guardrails around the roof access to

the kitchen exhaust fan. The proponent stated they wished to use an articulating boom lift for maintenance. Inspector Tom Rebber, Columbus Fire Department, stated he felt the lift would not be a good alternative. He felt they would have difficulty getting the lift into position due to the amount of incline around that area. He also stated he thought they would just end up stepping onto the roof to do maintenance, and there would be no guardrail to protect them. Following discussion, Commissioner Brenner moved to approve with the condition that the church provide staff with a copy of the maintenance contract. Commissioner Corey made the second. It was voted upon and carried. Variance 13-01-36, Lafayette Family YMCA, Lafayette, was represented by Ed Rensink, RTM Consultants. The proponent requested the application be tabled. Commissioner Corey moved to table, with the second by Commissioner Hite. It was voted upon and carried. Variance 13-01-41, Oakwood Health Campus Villas, Tell City, was represented by John Schnarr, Universal Design Associates. The request had been to omit the sprinkler system, and had been tabled to allow the proponent time to research the 13D system. He now advised the Commission he wished to use the 13D system. Commissioner Brown moved to approve with the condition that a 13D system be installed. Commissioner Hawkins made the second. It was voted upon and carried. Doug Trent, RTM Consultants, spoke as proponent for variance 13-01-44, Mann Village Rebuild, Indianapolis. The request had been to omit the sprinkler system in the rebuilding of eight units following a fire, due to no space for a riser room and necessary equipment, and it would be the only building sprinklered. Emergency egress windows were to exceed code requirements, and hard-wired smoke detectors would be provided. Following discussion, Commissioner Hawkins moved to approve with the condition that a 13D system be installed. Commissioner Brown made the second. It was voted upon and carried.

Breaking and reconvening. Chairman Hannum recessed the Commission at 10:31 a.m. It was called back to order at 10:50a.m.

Regular Variances.

Chairman Hannum asked for any abstentions or variances to be called out of the block vote. Variance 13-02-51(c), Englewood Lofts, Indianapolis, and 13-02-24, Redeemed Church of God, Indianapolis, were called out. Commissioner Corey then moved to approve all other variances with an "A" or "B" rating by staff, with the second by Commissioner Mitchell. It was voted upon and carried. Commissioner Hawkins stated he would abstain from voting on variance 13-02-16, PQ Corporation Fire Alarm System Monitoring, Clarksville, variance 13-02-20, Salem Middle School Performing Arts Center Light Replacement, Salem, and variance 13-02-60, Filter Building Expansion, Jeffersonville. Commissioner Richard stated that he would abstain from variance 13-02-17(a)(b)(c), Patterson Pointe PUD East, Bloomington, and Commissioner Mitchell stated that he would abstain from variance 13-02-27(a)(b), Model Mill Building, Noblesville.

The following variances were approved as submitted:

- (1) 13-02-3 111 W. 4th Street Windows, Bloomington
- (2) 13-02-4 3200 E. John Hinkle Place Unit K Windows, Bloomington
- (3) 13-02-5 Hartford City National Guard Armory, Hartford City
- (4) 13-02-6 2600 Olcott Blvd. Windows, Bloomington
- (5) 13-02-14(a)(b) Brownsburg High School Football Field Press Box, Brownsburg
- (6) 13-02-19 The Alexander Hotel North of South, Indianapolis
- (7) 13-02-23 Wishard Hospital Replacement Facility and ACB, Indianapolis
- (8) 13-02-31 ILPEA Industries North Plan Addition, Scottsburg
- (9) 13-02-32 Valparaiso Health Center, Valparaiso
- (10) 13-02-35(b) ALH Building Systems Connector, Markle
- (11) 13-02-38 ITT Exelis TAC Buildings, Ft. Wayne
- (12) 13-02-39 ITT Exelis Summit Park Building, Ft. Wayne
- (13) 13-02-40 Clayton Homes Plant #1 Addition, Wakarusa
- (14) 13-02-41(a) Subaru Warehouse 10 Expansion, Lafayette
- (15) 13-02-49 E & S Wood Creations, LaGrange
- (16) 13-02-51(b) Englewood Lofts, Indianapolis
- (17) 13-02-53 Hoosier Energy Headquarters, Bloomington
- (18) 13-02-54 St. Jude School Addition and Remodel, South Bend

The following variances were heard separately:

(19) 13-02-1 Indiana Galvanizing Inc. Sprinklers, Middlebury

No proponent was available for questions. Commissioner Corey moved to table, with the second by Commissioner Brown. It was voted upon and carried.

(20) 13-02-2(a)(b) Indiana University School of Optometry 2nd and 3rd Floor Renovation, Bloomington

Christina Colleston, RTM Consultants, spoke as proponent. The applications, both rated "A" in the staff review, did not have the signature sheets required, and were not included in the block vote. Ms. Colleston asked if they could still be heard if she were to submit the signatures quickly. The Commission agreed to the request, and Commissioner Mitchell moved to approve with the condition that the signatures would be submitted to staff by Friday, February 8, 2013. Commissioner Corey made the second. It was voted upon and carried.

(21) 13-02-8 Evansville Community Tennis Association Exit Path Paving, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. The request was to not comply with an interpretation of Section 1024.6 of the 2008 Indiana Building Code by former Building Law Compliance Officer Scott Perez, dated July 14, 2010, concerning the required surface of the exit path to the public way. The owner would provide a compacted rock surface, using size 11 stone, from the exits in question. Following discussion, Commissioner Hawkins moved to approve with the conditions that compacted gravel and limestone shall be used to create a hard surface, and that downspouts shall be installed to ensure that water runs away or under the compacted gravel. Commissioner Corey made the second. It was voted upon and carried. Dean Illingworth, Building Law Compliance Officer, requested information on the materials used with the intention of writing a revised non-rule policy document.

(22) 13-02-9 USI Liberal Arts Building Patio Exit, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. An above-grade patio, occupant load of 50, would require the access doors to swing into the atrium of the building and the installation of panic hardware on the patio side of the doors. The request, due to security concerns, was to allow the doors to not reverse the swing of the doors to allow compliant exiting into the atrium from the patio. A security camera would be installed to provide a clear view of the patio to avoid the patio being occupied when the doors were locked. An intercom connected to the campus security office located approximately one block away, would be installed to allow anyone stranded on the patio to call for assistance. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Cloud. It was voted upon and carried with one nay vote.

(23) 13-02-10 Village of Brookside, McCordsville

Richard Osborne, consultant, spoke as proponent. The request was to allow the pool to have a one foot wide deck along the side facing the lake, overlooking a slope away from the pool. This was to give the visual impression of being an infinity or vanishing edge pool. The remaining three sides would have the code-compliant four foot wide deck. Following a discussion of safety concerns, Commissioner Hawkins moved to deny, with the second by Commissioner Corey. It was voted upon and carried.

(24) 13-02-11 Credence Crematory, Paoli

Erica Livingston, owner, spoke as proponent. The request was to omit the code-required accessible means of egress from the building, an exit to the public way, and accessible parking. She explained that she was the only occupant of the building, the public not being allowed, and that much of the space of the facility was used as storage for supplies. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(25) 13-02-12(b)(c)(d) 451 Market Street, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was withdrawn. Variance (b) was to allow the swimming pool to have a non-uniform slope, dropping from a 6" deep sun shelf to a 4' deep swimming area. The owner was to do a visual marking with paint at the edge of the sun shelf to indicate the change of depth. Following discussion, Commissioner Cloud moved to approve with the condition that the edge be clearly marked and depth markings be provided. Commissioner Brenner made the second. It was voted upon and carried. Variance (c) was to allow the pool to have a deck on only two sides to create a vanishing edge or infinity pool. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried with two nay votes. Variance (d) was to allow return air ducts near the kitchens. Following a discussion of what constituted contaminated air and the intent of the code, Commissioner Hawkins made a motion that no variance was required if no return air duct was installed in the kitchen. Commissioner Corey made the second. It was voted upon and carried.

(26) 13-02-13 The Axis, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow the installation of pendent dry sprinklers in the upright position so as to throw water up to the deck in various concealed spaces at the roof in lieu of the required sprinklers with deflectors. Pressure needed for the increased elevation was to be designed into the system. The hardship was installing dry sprinklers, limited to 4 feet in length, in an unheated space. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

Breaking and reconvening. Chairman Hannum recessed the Commission for lunch at 11:55 a.m. It was called back to order at 1:05 p.m. Following lunch, Commissioner Corey was no longer in attendance.

(27) 13-02-15(a)(b)(c)(d) Art Gallery Perrin Building, Lafayette

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. An art gallery was moving into the first floor of an existing 4 story building, with basement, with businesses and apartments on the upper floors. Variance (a) was a request to grant 49 points to pass the Chapter 34 analysis due to the change of use of the first floor. The basement, first and second floors would be sprinklered per NFPA 13. Smoke detectors, horns, strobes and emergency lighting were also to be installed. Patrick Grimes, Lafayette Fire Department, advised the Commission that his department did not object to the variance. Following discussion, Commissioner Brenner moved to approve with the condition that smoke detectors must be installed on the second floor. Commissioner Hawkins made the second. It was voted upon and carried. Variance (b) was to allow a 1:48 slope to the floor instead of level landings on both sides of the entrance and vestibule doors. The floor had previously been built up to make it level, but that raised it 8" above the sidewalk elevation. To comply with ADA accessibility requirements, the floor must be lowered, but left with a 1:48 slope, which will comply. Following discussion, Commissioner Hawkins moved to approve (b), with the second by Commissioner Brenner. It was voted upon and carried. Variance (c) was to omit handrails at the front entry. The building currently did not have them, and to keep it historically accurate, the owner would like to omit them. Following discussion, Commissioner Brenner moved to approve with the condition that a handrail, without extension if desired, was to be mounted to the flowerbox. Commissioner Hawkins made the second. It was voted upon and carried. Variance (d) was to allow the apartment on the fourth floor. The Lafayette Fire Department felt the building fell under the IRC, while the proponent felt it was under the IBC. Following discussion, Commissioner Mitchell moved that no variance was required. Commissioner Cloud made the second. It was voted upon and carried.

(28) 13-02-16 PQ Corporation, Clarksville

Paige Simms and Gary Baird, PQ Corporation, spoke as proponents. Due to the nature of the business, false alarms are a problem. The request was to allow a 300 second delay before an alarm is sent to the local fire department to allow the company's trained emergency response team to verify an emergency condition exists before first responders are summoned. This was an effort to reduce the number of false alarms which tie up community resources unnecessarily. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

- (29) 13-02-17(a)(b)(c) Patterson Pointe PUD East, Bloomington

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was a request to allow a 95' exit travel distance in the sprinklered building. He noted the 2012 IBC would allow 125'. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. Commissioner Richard abstained from voting on this project. Variance (b) was to allow the 95' exit travel distance to the exterior balcony. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Cloud. It was voted upon and carried. Variance (c) was to omit the standpipe system. The 4th floors of the units exceed the allowed height of 30' by 1', requiring the standpipes. There are no public spaces or enclosed stairs for the firemen to operate within. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

- (30) 13-02-18 Floyd County Waste Management Office, Galena

Larry Timperman, Michell Timperman Ritz, spoke as proponent. The historic house was being converted to office space and a break room, created from the kitchen, for Waste Management employees, with existing elements being refurbished and rebuilt. The stair to the second floor, serving two small rooms planned to be used as offices, has winders and no handrail. They are requesting to be allowed to install only one of the two required handrails in the stairway. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (31) 13-02-20 Salem Middle School Performing Arts Center Light Replacement, Salem

Larry Timperman, Michell Timperman Ritz, spoke as proponent. Also assisting was Mike Brubaker, Associated Controls and Design. The renovation of the middle school auditorium lighting replacement and maintenance would take approximately six weeks during the school year. The sprinkler system in the auditorium would be temporarily disconnected to allow for service without fear of damage to the ceiling of the auditorium, while the rest of the system would remain functional. The request was to omit the fire watch during this time. Following discussion, Commissioner Brown moved to approve with the condition that only the sprinkler heads in the immediate construction area were to be disabled. Commissioner Cloud made the second. It was voted upon and carried. Commissioner Hawkins abstained from voting.

- (32) 13-02-21 Bank of America Access Controlled Door, Indianapolis

Mary Tinder, Tinder Lock and Security Solutions, spoke as proponent. The request was to install a magnetic lock with a manual floor bolt on an existing, frameless glass door which leads into an area of the office which is no longer staffed by a receptionist. The lock would fail open at loss of power, would unlock when a motion sensor on the egress side of the door detected movement, would have a release button to over-ride the lock, and would be tied into the building fire alarm system to fail open. T.J. Burns, Indianapolis Fire Department, advised the Commission that they can support the variance, and that it was a better situation than they have at present. Following discussion, Commissioner Brenner moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

- (33) 13-02-22 Worthy Women Recovery Home, LaPorte

Daniela Troche, Executive Director, spoke as proponent. The request was to omit the sprinkler system. The proponent stated they would provide exit signs, security cameras, hard-wired alarm systems connected to police and fire stations, smoke alarms, battery operated lighting system, two ways out of the basement, and window fire escape ladders in second floor sleeping areas. She also offered to install 5/8" Type X drywall on the ceiling of the basement and first floor levels. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Cloud. It was voted upon and carried with two nay votes.

(34) 13-02-24 Redeemed Church of God, Indianapolis

Brad Smith, SITE Architecture, spoke as proponent. The existing church was inspected by the Indianapolis Fire Department, and had been cited on several issues. They had corrected all but the sprinkler system, required by their occupant load of over 300. The request was to omit the sprinkler system at this time. The church is in the process of building a new facility, and plans to occupy it July 2013. A fire watch had been posted during services since the inspection, and was to continue until they move to their new location. T.J. Burns, Indianapolis Fire Department advised the Commission that the department did not object to the variance. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

(35) 13-02-25(a)(b) Barnes & Thornburg Lobby Renovation, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Also addressing the Commission was Desma Belsaas, Schmidt and Associates. The first and second floor lobby space of the vacated Borders Bookstore would be converted to a main lobby for the law firm. The space would also be used for an occasional reception and gathering assembly after regular hours, causing a change of occupancy which would require compliance with Chapter 34 or new construction rules. The request was to allow the occasional use of the area for gatherings without full compliance with either Chapter 34 or the rules for the A-3 occupancy. Sprinklers were to be installed in portions of the first and second floor not currently protected, as well as the basement. Historic marble and ornamental bronze feature spaces were to remain unsprinklered. Fire alarm devices were also to be added to the lobby space. Following discussion, Commissioner Hawkins moved to approve both (a) and (b), with the second by Commissioner Brown. It was voted upon and carried.

(36) 13-02-26 Indiana University Neuroscience Brain Tumor Program, Indianapolis

Neal Locasto, RTM Consultants, spoke as proponent. The request was to omit the visual alarm notification devices from outpatient exam or consultation rooms. It was feared the strobes would trigger seizures or similar adverse neurological conditions in the patients. Audible alarms would still be provided in these areas. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

(37) 13-02-27(a)(b) Model Mill Building, Noblesville

Ed Rensink, RTM Consultants, spoke as proponent. He was re-requesting two old variances that were no longer valid due to the construction of an exterior exit stair going from the fourth floor to the third floor of the building. This stair also impacted the common path of egress, opening directly into an A-3 space. Commissioner Mitchell had visited the facility, and requested that there be no open flame, pyrotechnics or fireworks allowed during use, and that the door in the lower end of the A-3 area was to remain closed. It was also noted that the fourth floor was to be used as the owner's office, with a staff of 8 to 12 persons. The bridal preparation area was moved to the first floor. Dean Illingworth, Building Code Compliance Officer, addressed the Commission. He noted that he had asked for and had received cooperation from the owner, and that a master set of plans had been filed as he had requested. Following discussion, Commissioner Hawkins moved to approve with the conditions that the door marked "E" on the third floor shall remain closed at all times, the fourth floor was to remain an office, and no pyrotechnics, fireworks or open flames other than those allowed by the Indiana Fire Code be used in the building. Commissioner Cloud made the second. It was voted upon and carried. Commissioner Mitchell abstained.

Breaking and reconvening. Chairman Hannum recessed the Commission at 2:40 p.m. It was called back to order at 2:55 p.m.

(38) 13-02-28 Indianapolis Zoo Orangutan Exhibit, Indianapolis

Christina Colleter, RTM Consultants, spoke as proponent. The fire protection for the exhibit had been rethought, and a deluge system was considered to be the best protection for the orangutans. The request was to allow the installation of a

domestic booster pump to supply the pressure to the Zone 2 fire protection system deluge valve. The unit is not listed for fire pump service. This system does not protect the public areas. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

(39) 13-02-30(a)(b) The Warehouse by The Family Center, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. Also present was David Wilde, Realife Media. The proponents noted that incidental storage had been removed from the building, and that listed storage areas were separated by a 1-hour wall. An 8' drywall structure, instead of barriers currently in use, would separate the areas currently designated for use from the rest of the building area. Variance (a) was a request for the points needed to pass a Chapter 34 review. Tim Clapp, Bloomington Fire Department, submitted an email in which he objected to the variance as requested. He felt that if they could not meet minimum standards under a Chapter 34 review, they should not be allowed to use the building until it had been brought up to minimum standards. Jim Gerstbauer, Building Commissioner, also submitted his concerns about the variances, asking for clarity regarding the Commission's decisions. Bobby LaRue, Monroe County Building Department, also spoke of his concerns, as well as Dean Illingworth, Building Code Compliance Officer. Following a lengthy discussion, Commissioner Hawkins moved to approve both (a) and (b) with the conditions that all new construction work was to be Type IIB construction, the sprinkler system be evaluated and brought into compliance for the proposed assembly occupancy types in the structure, no second floor was to be added, all new occupied spaces shall comply with the occupancy separation and exiting requirements for new construction, all new occupancies shall use the calculated occupant load, additional exits shall be added to Phase 1 space as additional spaces become occupied, no alcohol, fireworks or pyrotechnics shall be permitted at any time and all open flame use shall comply with the Indiana Fire Code. Commissioner Mitchell made the second. It was voted upon and carried.

(40) 13-02-29 Estes Express Line, Ft. Wayne

The variance had been incomplete during the block vote, but had been completed during the course of the meeting. It was brought forward at this time. Commissioner Brown moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

(41) 13-02-33(a)(b)(c)(d) Hotel Broad Ripple, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Two buildings, same owner, were being joined to create a single property to be used as a hotel. Variance (a) was to permit the construction of a one-storey connector, required due to the lot line between the two structures, which would not allow openings per code. Variance (b) was to allow a 13D sprinkler system instead of the code-compliant 13R system. Variance (c) was to allow a single means of egress for three upper-story units. All the affected units have 1-hour separations and exterior balconies. There are smoke detectors throughout the buildings. In variance (d), a door was to be added to each of two existing stairways, but there was no landing on the stair side of the door. The doors were to swing out. Following discussion, Commissioner Brenner moved to approve all of the variances with the conditions that signage and permanent lighting were to be provided for the stairs, and handrails were to be provided on all three stairs. Commissioner Cloud made the second. It was voted upon and carried.

(42) 13-02-34 Cottage 3 Focus Room Addition, Jeffersonville

Anna Lask and Kyle Wilson, The Estopinal Group, spoke as proponents. An addition of 900 square feet was to be made to an existing structure built in 1974 without sprinklers. The request was to omit the required sprinkler system. The addition was to be used to allow residents to refocus and calm down before being returned to the main portion of the building. The student would be under constant supervision during occupancy, and an exit directly to the exterior from the center hallway of the addition would be provided. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Richard. It was voted upon and carried, with one nay vote.

(43) 13-02-35(a) ALH Building Systems Connector, Markle

Ed Rensink, RTM Consultants, spoke as proponent. In variance (a), a connector had been constructed to join several buildings of varying construction types to facilitate the handling and transport of materials used by the manufacturer. The "west" building was protected by a sprinkler systems which had been repaired and was functional. The "east" building would have the sprinkler system functioning by June 30, 2013. The connector was also to be sprinklered. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

(44) 13-02-37 Christel House Academy Sliding Gate, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the use of an alarmed, sliding gate within the building to prevent those attending adult night classes from entering portions of the building used by daytime students. During the day, the gate would be locked in the open position. The building was protected by an automatic sprinkler system and a fire alarm system. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

(45) 13-02-41(b) Subaru Warehouse 10 Expansion, Lafayette

Staff had listed this as no variance required on their review. Christina Colletter spoke as proponent. Patrick Grimes, Lafayette Fire Department also spoke, explaining that the alarms do not have synchronization and a few other problems which are being addressed as two new additions are being planned. Following discussion, Commissioner Hawkins moved no variance required, with the second by Commissioner Brenner. It was voted upon and carried.

(46) 13-02-42 Ford Center Evansville Arena, Evansville

Ed Rensink, RTM Consultants, spoke as proponent. The glazing over the main entrance to the facility has a slope greater than the 15° allowed by code, but does not have the type of glazing approved for this application. Documentation from the supplier showed the glazing installed to have a safety factor of more than 6 times the load requirement for a 100-year storm was provided. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

(47) 13-02-43 Bray Apartments, Lafayette

Ed Rensink, RTM Consultants, spoke as proponent. An existing building was to have the first floor offices converted to apartments. The request was to allow the non-compliant door openings and stair width to remain and not bring them up to current code for the Chapter 34 review. Patrick Grimes, Lafayette Fire Department, stated they did not oppose the variance. Commissioner Brenner moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

(48) 13-02-44 Clifford Corners, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit Type A units, providing only Type B units. All units were to be accessible by elevator. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (49) 13-02-45 Super Mercado La Plaza, Lafayette

Tim Callas, J&T Consulting, spoke as proponent. The request was to omit the ladder and platform access on the roof for service and maintenance of the kitchen exhaust fan. The tenant would establish a maintenance contract for service to the equipment. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (50) 13-02-46 Fertilizer Blending and Storage Building, Poseyville

Tim Callas, J&T Consulting, spoke as proponent. The request was to omit the code-required fire department access openings every 50 linear feet in the storage bin areas. The remainder of the building has the required openings, but the storage areas have fertilizer against the walls, similar to salt in a salt dome building. The building is only occupied by three employees during scooping and blending of product, and the public is not allowed. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

- (51) 13-02-47(a)(b) Calvary Temple Assembly of God, Indianapolis

Bill Kaler, Business Manager, spoke as proponent. Variance (b) was to allow two sprinkler heads to remain in place over a plastic playroom gross motor skills piece of equipment in a daycare/nursery room. There are seven heads in an 18'x18' room, and they are unable to move the equipment to a place in the room where it would not be an obstruction. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Cloud. It was voted upon and carried. Variance (a) was a request to allow u-shaped bars to be placed into panic hardware on 28 doors which open outward as a security measure. The doors are not barred during services. Commissioner Hawkins explained that the church members needed to understand what was expected of them under the code, and that they didn't need to take down all 28 bars. When they are in an area, the proper number of doors needed from which to remove bars, and they need to know which doors are open to them as exits from the building. Marc Reynolds, Fire and Building Code Enforcement, addressed the Commission, stating he had never heard an interpretation like that before, and when he inspects a building all the bars had better be down. Feeling that the proponent needed to talk to an expert so that they could secure their building safely and be compliant, Commissioner Brown moved to table, with the second by Commissioner Cloud. It was voted upon and carried.

- (52) 13-02-48 McAlister's Deli, Carmel

Tim Callas, J&T Consulting, spoke as proponent. When the space was first constructed, the separation was not completed properly by a previous tenant per the 1998 Indiana Building Code for an A-3 occupancy. This now required a sprinkler system in order to be compliant. The proponent stated the owner would remove the current separation and repair the mechanical room so there would be a 1-hour separation compliant with the code of record. A smoke and fire alarm system was to be installed as well. Following discussion, Commissioner Brenner moved to approve with the condition that a drawing of the separation wall be submitted to Plan Review. Commissioner Hawkins made the second. It was voted upon and carried with one nay vote.

- (53) 13-02-50 Self Storage @Anson, Whitestown

Tim Callas, J&T Consulting, spoke as proponent. The request was to omit the eyewash station, emergency showers and service sinks. Renters are not allowed to store hazardous materials in the units. Following discussion, Commissioner Cloud moved to approve with the condition that the proof of notification of the local building official be submitted to staff by February 8, 2013. Commissioner Hawkins made the second. It was voted upon and carried.

(54) 13-02-51(a)(c)(d)(e) Englewood Lofts, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. An existing, historic church was being converted into apartments. Variance (a) was to allow dryer vents to exceed the code-compliant 25 feet. Noting it was difficult to even find a dryer vent of only 25 feet, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. Variance (c) was to allow unprotected openings along the east and south sides of the building. Variance (d) was to allow only one of the three entrances to be accessible. Variance (e) was to allow the installation of windows which would not comply with the reach ranges allowed in ANSI 117.1. Following discussion, Commissioner Brenner moved to table variances (c), (d) and (e) to allow the proponent time to research options. Commissioner Richard made the second. It was voted upon and carried.

(55) 13-02-52(a)(b) Napolese Pizzeria - Fashion Mall, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. During the plan review of the application for a CDR, Brendon Schroeder, who also addressed the Commission, had required two restrooms within the unit. Variance (a) was a request to not provide restrooms in a restaurant which adjoined a food court. A single, unisex restroom would be provided within the restaurant since restroom facilities for the food court in the mall were within 250 feet. Following a lengthy discussion of interpretations of central toilet areas and covered mall requirements, Commissioner Brenner moved that no variance was required. Commissioner Hawkins made the second. It was voted upon and carried. Variance (b) was a request for the refund of the \$5,000 expedite fee charged by Plan Review. The proponent stated that, due to delays in the completion of the review caused by requests for information, they did not feel they had received the service for which they had paid. Following an extended discussion which included participation by Bonnie Robison, Director, Plan Review, and Dean Illingworth, Building Law Compliance Officer, Commissioner Brenner moved to approve the refund. Hattie Sims made the second. It was voted upon and failed by a vote of 3 to 4. Commissioner Brown then moved to deny with the second by Commissioner Cloud. It was voted upon and carried.

(56) 13-02-56 340-346 S. Grant Street Windows, Bloomington

The request was to allow noncompliant emergency escape and rescue windows. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

(57) 13-02-57 Calvary Baptist Church Handicapped Ramp, Leesburg

Buddy Kuczewski, Calvary Baptist Church Deacon, spoke as proponent. The request was to not comply with the code-required 1:12 ramp slope requirements. The church had explored several designs and had chosen one which was 1:9 which they would like to install. Following a discussion of the practicalities of a ramp with a steep slope, Commissioner Hawkins moved to table to allow the proponent time to determine whether a 1:9 slope was feasible. Commissioner Hite made the second. It was voted upon and carried.

(58) 13-02-58 Perry County Memorial Hospital Replacement Facility, Tell City

Alan Laughlin, LMH Architecture, spoke as proponent. The original CDR had been applied for and issued on November 11, 2010, but the financing did not come through as hoped and the project was not started. Financing has now been secured. The request was to reinstate the original CDR so that they may build under the previously submitted plans, thereby avoiding the delays which would be created by reapplying for Federal approval of their plans. Following discussion, Commissioner Cloud moved to approve with the condition the CDR would be valid until February 5, 2014, with the second by Commissioner Hawkins. It was voted upon and carried.

(59) 13-02-60 Filter Building Expansion, Jeffersonville

Charles Weber, CFW Associated Engineers, and Walt McCollam, Dallas Group of America, spoke as proponents. The request was to omit the sprinkler system due to the size of the expansion and the location of the existing sprinkler service. The proponents manufacture Magnesium Silicate, a nontoxic and noncombustible powder used in the fast food industry. Following discussion, Commissioner Brenner moved that no variance was required. Commissioner Cloud made the second. Following further discussion, the original motion was rescinded. Commissioner Richard moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. Commissioner Hawkins abstained.

(60) 13-02-64 Cartlidge Barn Hendricks County 4-H Fairgrounds, Danville

Tim Callas, J&T Consulting, and Faith Toole, Historic Preservation Association, spoke as proponents. A barn deemed historic, had been dismantled and was to be reconstructed at a location on the Danville 4-H Fairgrounds and placed on a foundation to be used as a museum/exhibit. Following a lengthy discussion on whether the building qualified as a historic structure and if it had "been moved" or built on site was held. Commissioner Brenner moved to table to allow the proponent time to research his options because the Commission determined that it was new construction, not a "moved building", with the second by Commissioner Hite. It was voted upon and carried.

7. New Business – General

Discussion and possible Commission action

Tom's Food and Fuel
Administrative Cause No. 12-29
Appeal of Denial
Nonfinal Order of Dismissal

Calvary Community Fellowship Church
Administrative Cause No. 13-03
Condition of CDR
Nonfinal Order of Dismissal

Commissioner Hawkins moved to approve the Nonfinal Orders of Dismissal, with the second by Commissioner Brenner. It was voted upon and carried.

8. Discussion and Possible Commission action on petitions for review (Timely filed unless otherwise noted.)

Martin Supermarkets Store 10 – South Bend
Appeal of CDR – Project #362106

Commissioner Hite moved to grant the timely petition for review. Commissioner Brenner made the second. It was voted upon and carried.

Angelos, Evansville
Order and Fine
Not timely filed

Commissioner Brenner moved to deny the untimely filed petition for review. Commissioner Hite made the second. It was voted upon and carried.

9. Comments

There were no comments at this time.

10. Adjournment

Chairman Hannum called for further business, and upon hearing none, adjourned the meeting at 6:05 p.m.

APPROVED

David Hannum, Chairman

DRAFT